

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CYBERFONE SYSTEMS, LLC,

Plaintiff,

v.

CELLCO PARTNERSHIP, et al.,

Defendants.

C.A. No. 11-827-SLR

JOINT MOTION TO DISMISS

WHEREAS, Plaintiff CyberFone Systems, LLC (“Plaintiff”) and Defendant T-Mobile USA, Inc. (“T-Mobile”) have settled Plaintiff’s claims for relief against T-Mobile and T-Mobile’s counterclaims for relief against Plaintiff asserted in this case.

NOW, THEREFORE, Plaintiff and T-Mobile, through their attorneys of record, request this Court to dismiss Plaintiff’s claims for relief against T-Mobile and T-Mobile’s counterclaims for relief against Plaintiff, with prejudice and with all attorneys’ fees, costs of court and expenses borne by the party incurring same.

BAYARD, P.A.

/s/ Stephen B. Brauerman
Richard D. Kirk (rk0922)
Stephen B. Brauerman (sb4952)
222 Delaware Avenue, Suite 900
Wilmington, DE 19801
(302) 655-5000
rkirk@bayardlaw.com
sbrauerman@bayardlaw.com

*Attorneys for Plaintiff
Cyberfone Systems, LLC*

MORRIS NICHOLS ARSHT & TUNNELL LLP

/s/ Karen Jacobs Loudon
Jack B. Blumenfeld (jb1014)
Karen Jacobs Loudon (kl2881)
Regina S.E. Murphy (rm5648)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
jblumenfeld@mnat.com
klouden@mnat.com
rmurphy@mnat.com

Attorneys for Defendant T-Mobile USA, Inc.